

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Tetsuo OKADA <i>et al.</i>)	Confirmation No.: 6009
)	
Application No.: 10/576,774)	Group Art Unit: 1624
)	
Filed: March 16, 2007)	Examiner: Deepak R. Rao
)	
FOR: Process for the Manufacture of the Calcium)	
Salt of Rosuvastatin (E)-7-[4-(4-)	
Fluorophenyl)-6-Isopropyl-2-)	
[Methyl(Methylsulfonyl)Amino]-Pyrimidin-)	
5-Yl](3R,5S)-3,5-Dihydroxyhept-6-Enoic)	
Acid and Crystalline Intermediates Thereof)	Date: April 26, 2010

INFORMATION DISCLOSURE STATEMENT

UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants request that the Examiner consider this Information Disclosure Statement and the documents listed on the attached Form PTO-1449. To the best of the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits in the above-referenced application. Accordingly, Applicants do not believe that a fee is due for filing this Information Disclosure Statement.

With the exception of U.S. patents and publications, copies of the listed documents are attached. Applicants respectfully request that the Examiner initial and return the Form PTO-1449, indicating that the information has been considered and made of record herein. Document 20 listed on the attached Form PTO-1449 is a copy of the observations made by a third party concerning patentability of the claimed invention in the corresponding EP Application No. 04768997.1. Document 20 contains a copy of WO 2005/040134 and Indian priority application No. IN 1304/DEL/2003. A copy of document WO 2005/040134 listed in the observations was submitted with the previously filed Information Disclosure Statement and therefore is not separately listed.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or

constitute "prior art." Applicants reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

Respectfully Submitted,
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Date: **April 26, 2010**
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